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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, FEBRUARY 5, 1999

APPLICATION OF

C & P ISLE OF WIGHT WATER COMPANY

CASE NO. PUE980625

For certificates pursuant to  
§ 56-265.2 and § 56-265.3.D of  
the Code of Virginia

ORDER SCHEDULING HEARING

The Commission's Order of November 4, 1998, invited written comments or requests for hearing concerning the applications of C & P Isle of Wight Water Company ("C & P" or "the Company") for certificates authorizing it to construct water facilities for the Cedar Grove/Quail Meadows area of the Brewer's Creek subdivision and for the Carrollton Meadows area of the Ashby subdivision. C & P also seeks authority, pursuant to § 56-265.3.D of the Code of Virginia, to amend its current certificate of public convenience and necessity to include those same areas in its certificated service territory. By letter of December 17, 1998, Isle of Wight County reiterated its request that the certificate of public convenience and necessity be denied for the Carrollton Meadows subdivision and requested that a hearing concerning this subdivision be scheduled.

The Commission has determined that a hearing should be held, that a procedural schedule for the prefiling of direct testimony and exhibits should be established, and this matter should be referred to a Hearing Examiner to conduct all further proceedings. Accordingly,

IT IS THEREFORE ORDERED THAT:

(1) C & P's application for authority and certificates in the Carrollton Meadows subdivision of Isle Wight County is scheduled for a hearing on March 4, 1999, at 10:00 a.m., in the Commission's Second Floor Courtroom, Tyler Building, 1300 East Main Street, Richmond, Virginia 23219.

(2) Pursuant to Rule 7:1 of the Commission's Rules of Practice and Procedure, ("Rules"), a Hearing Examiner is appointed to conduct all further proceedings in this matter.

(3) On or before February 8, 1999, the Company shall file with the State Corporation Commission's Document Control Center the original and fifteen (15) copies of the prepared testimony and exhibits the Company intends to present at the public hearing and furnish a copy to the Director of Public Utilities of the County of Isle of Wight and to the County Attorney of the County of Isle of Wight.

(4) The County of Isle of Wight's letter of December 17, 1998, serves as its Notice of Protest.

(5) On or before February 22, 1999, the County of Isle of Wight and any additional person who expects to submit evidence, cross-examine witnesses, or otherwise participate in the proceeding as a Protestant, pursuant to Rule 4:6, shall file an original and fifteen (15) copies of a Protest together with the original fifteen (15) copies of the prepared testimony and exhibits the Protestant intends to present at the public hearing. Such filing should be made with the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218 referring to Case No. PUE980625 and shall simultaneously be served upon the Company's counsel, Robert W. Jones, Jr., Esquire, Jones and Jones, 600 South Church Street, Smithfield, Virginia 23430.

(6) The Protest required above shall set forth (i) a precise statement of the interest of the Protestant in the proceeding; (ii) a full and clear statement of the facts which the Protestant is prepared to prove by competent evidence; and (iii) a statement of the specific relief sought and the legal basis therefor. Any corporate entity or governmental unit that wishes to submit evidence, cross-examine witnesses, or otherwise participate as a Protestant must be represented by legal counsel in accordance with the requirements of Rule 4:8.

(7) On or before February 24, 1999, the Commission's Staff shall file an original and fifteen (15) copies of the prepared

testimony and exhibits Staff intends to present at the public hearing and shall serve a copy of each upon the Company and upon each Protestant.

(8) On or before March 1, 1999, the Company shall file an original and fifteen (15) copies of all testimony it expects to introduce in rebuttal to all direct prefiled testimony and exhibits. Additional rebuttal evidence may be presented at the hearing without prefiling, provided it is in response to evidence which was not prefiled but elicited at the time of the hearing, and provided further, the need for additional rebuttal evidence is timely addressed by motion during the hearing and leave to present said evidence is granted by the Hearing Examiner.